

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JARVIS ROBINSON, Individually and on)	
behalf of the heirs at law of JEFFREY)	
ROBINSON, deceased)	
)	
Plaintiff,)	No. 02-2878 M1/P
)	
v.)	
)	
MARK LUCAS, JEFFREY SIMCOX, and)	
ALBERT BONNER,)	
)	
Defendants.)	

AFFIDAVIT OF JENNIFER A. SINK

STATE OF TENNESSEE)

COUNTY OF SHELBY)

Comes now the affiant and makes oath as follows:

- 1) I have personal knowledge of the matters set forth in this Affidavit.
- 2) I am an Associate at the law firm Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.I have assisted the lead attorney, Buckner Wellford, in representing the Plaintiff, Jarvis Robinson, in the above-referenced case.
- 3) On April 13, 2006, with the assistance of Teresa Drum, a paralegal at my firm, I electronically filed a Petition for Attorney's Fees and the supporting documents, Memorandum of Law in Support of Petition for Attorney's Fees and Affidavit of Buckner Wellford n Support of Petition for Attorney's Fees. These documents had been previously reviewed by Mr. Wellford. The Petition had already been prepared by Mr. Wellford some months earlier, and contained the signature of our client, Mr Robinson. My efforts were directed toward the

Memorandum and, along with Mr. Wellford, reviewing our voluminous, itemized statement for fees and expenses in order to delete entries that appeared to pertain exclusively to the claims against the City of Memphis, which have since been settled.

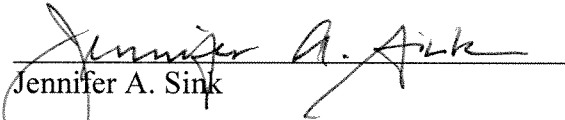
4) Ms. Drum and I made several attempts to electronically file the Memorandum and Affidavit as Exhibits to the Petition, pursuant to the Electronic Case Filing Attorney User Manual, but the Electronic Case Filing (“ECF”) system would not permit the documents to be filed in this format. Our efforts included logging in and out of the system and telephoning technical support, which unfortunately had already left for the day. On previous occasions, I have been able to electronically file a Memorandum of Law by attaching it as an exhibit to the Motion without any problems.

5) At that time, I determined that the only solution was to separately file the Memorandum, with the Affidavit attached as an Exhibit, and to make a notation in the space provided by ECF that the documents were being filed in conjunction with the Plaintiff’s Petition for Attorney’s Fees. On the same date, a Proposed Order was sent to Judge McCalla via email without incident.

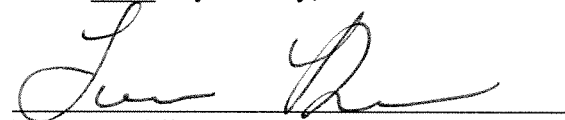
6) Once all of the documents had been filed, I reviewed the confirmations provided by ECF indicating that the filing was successfully executed. I further reviewed the confirmation provided by ECF to ensure that counsel for the defendants were registered with ECF and had been electronically served with the Petition, Memorandum of Law and Affidavit.

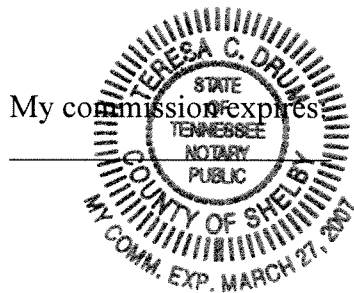
7) Although I am an attorney registered in this Court’s Electronic Case Filing System, I am not an attorney of record in this matter and do not receive the Court’s Notifications pertaining to this matter. Accordingly, I did not receive any Deficiency Notifications related to the filing of the Plaintiff’s Petition for Attorney’s Fees.

Further the affiant saith not.


Jennifer A. Sink

SWORN to and SUBSCRIBED before me this the 3rd day of May, 2006.


Notary Public



CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was electronically filed through the Court's ECF System, which provided Notice of Filing to the following individuals: Thomas Hansom, Attorney at Law, 659 Freeman, Memphis, TN 38103 and Jean Markowitz, Attorney at Law, 100 N. Main, Suite 2400, Memphis, TN 38103, this the 3rd day of May, 2006.

s/ Buckner Wellford

Buckner Wellford